name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of the contents; 502(e)(1)—the repacked articles of drug failed to bear the common or usual name of the drug; 502(f)(1)—the labeling of the repacked articles of drug failed to bear adequate directions for use, and the articles were not exempt from that requirement since they were drugs subject to the provisions of 503(b)(1) and their labels failed to bear an identifying lot number as required by regulations; 503(b)(4)—the repacked articles of drug failed to bear the statement "Caution: Federal law prohibits dispensing without prescription."

DISPOSITION: 7–26–61. Default—destruction.

6913. Various prescription drugs. (F.D.C. No. 46457. S. Nos. 43/48 T.)

QUANTITY: 2,789 tablets and capsules and 42 btls. of liquids at Jacksonville, Fla., in possession of Fuqua's San Marco Pharmacy.

SHIPPED: On unknown dates, by various drug handlers.

LABEL IN PART: (Some labels) "Professional Sample."

RESULTS OF INVESTIGATION: The articles consisted of quantities of prescription drugs repacked from physicians' samples into containers having labels bearing brand names indicative of manufacture outside the State of Florida and bearing the words "Professional Sample" or similar wording and the names and addresses of the manufacturers, packers, or distributors outside the State of Florida; quantities of prescription drugs which were not yet repacked, originally intended for use as samples, and still in the original sample packages bearing the names and addresses of manufacturers, packers, or distributors outside the State of Florida; and quantities of prescription drugs in unlabeled containers.

LIBELED: 9–15–61, S. Dist. Fla.

CHARGE: 502(a)—while held for sale, the statement "Professional Sample" or similar wording on the labels of a number of the articles of drug was false and misleading as applied to the articles in the possession of a repacker and intended for sale and not intended for use as "complimentary–not for sale" samples for physicians and others lawfully engaged in dispensing prescription drugs; 502(b)—the unlabeled articles of drug failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor and (2) an accurate statement of the quantity of contents; 502(e)(1)—the unlabeled articles of drug failed to bear labels containing the common or usual name of the drugs; 502(f)(1)—the labeling of the articles in unlabeled containers failed to bear adequate directions for use; and 503(b)(4)—the unlabeled articles of drug were subject to the provisions of 503(b)(1) and failed to bear labels containing the statement "Caution: Federal law prohibits dispensing without prescription."

DISPOSITION: 11–14–61. Default—destruction.

6914. Various prescription drugs. (F.D.C. No. 46094. S. Nos. 97–641/56 R, 97–659/60 R, 97–741/5 R.)

QUANTITY: 5,105 tablets and capsules in 202 boxes, folders, vials, and btls., at Erie, Pa., in possession of Eckerd's Kwik-Chek, Inc.

SHIPPED: Between 6–9–59 and 6–28–61, from Buffalo, N.Y., by Niagara Drug Co. of Buffalo, Inc., and on an unknown date by an unknown drug handler.

LABEL IN PART: (Some labels) "For Investigational Use Not to be Sold," "Professional Sample," "Complimentary," and "Physician's Professional Package."

LIBELED: 8-4-61, W. Dist. Pa.

CHARGE: 502(a)—when shipped and while held for sale, the statements "Professional Sample," "Complimentary," "Physician's Professional Package," and similar wording on the labels of a number of the articles of drug were false and misleading as applied to articles in the possession of a repacker and intended for sale and not intended for use as "complimentary–not for sale" samples for physicians or others lawfully engaged in dispensing prescription drugs; and the statement "For Investigational Use Not To Be Sold" on the label of one of the drugs, when shipped, was false and misleading as applied to an article which was intended for sale and not intended for investigational use; 502(b)(1)—a number of the articles of drug failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; 502(f)(1)—the labeling of a number of the articles failed to bear adequate directions for use and they were not exempt from that requirement since they were subject to the provisions of 503(b)(1) and their labels failed to bear an identifying lot or control number from which it was possible to determine the complete manufacturing history as is required by regulations; and 503(b)(4)—a number of the articles of drug were subject to the provisions of 503(b)(1) and their labels failed to bear the statement "Caution: Federal law prohibits dispensing without prescription."

DISPOSITION: 10-16-61. Default—destruction.

6915. Various prescription drugs. (F.D.C. No. 46739. S. Nos. 12-881/3 T, 12-886 T, 12-888 T, 12-892 T, 12-894 T, 12-898/900 T.)

QUANTITY: Various quantities of tablets and capsules at Chicago, Ill., in possession of Solomon Cooper Drugs.

SHIPPED: On unknown dates, by various drug handlers.

RESULTS OF INVESTIGATION: The articles consisted of quantities of prescription drugs repacked from physicians' samples into containers having labels bearing brand names indicative of manufacture outside the State of Illinois, and the words "Physician's Sample," "Physician's Professional Package," "Professional Sample," "Complimentary," or similar wording; and quantities of prescription drugs which were not yet repacked, originally intended for use as samples, and bearing labels containing the words "Professional Sample," "Physician's Professional Package," "Sample Not To Be Sold," "Complimentary," or similar wording, and the names and addresses of the manufacturers, packers, or distributors located outside the State of Illinois.

LIBELED: 11-21-61, N. Dist. Ill.

CHARGE: 502(a)—while held for sale, the sample legends appearing on the labels affixed to the articles were false and misleading as applied to the articles in the possession of the repacker and intended for sale and not intended for use as "complimentary–not for sale" samples for physicians and others lawfully engaged in dispensing prescription drugs, and the labeling of a number of articles whose expiration dates had expired also was misleading as applied to the articles which were not suitable for use after their expiration date had expired; 502(b)—a number of the articles of drug failed to bear a label containing (1) the name and place of business of the manufacturer,